IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

WP(C).No. 2716 of 2007(W)

PETITIONER:

P.MUNEER, S/O.MUHAMMEDKUTTY,
KARAPPANCHERY HOUSE, P.O.MONGAM,
MALAPPURAM DISTRICT.

BY ADV. SRI.BINOY VASUDEVAN

RESPONDENT:

THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
MALAPPURAM.

BY GOVERNMENT PLEADER SMT N. SUDHADEVI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS EXHIBITS:

EXT.P1: COPY OF THE REQUEST FOR REVISION OF TIMING, DATED 5.10.06 SUBMITTED BY THE PETITIONER BEFORE THE RESPONDENT.

EXT.P2: COPY OF THE ORDER NO.C6/39647/2006/M DT.3.11.2006 RENDERED BY THE RESPONDENT.

TRUE COPY

P.A.TO JUDGE

K.BALAKRISHNAN NAIR, J.

WP(C).No.2716 of 2007-W

Dated this the 20th day of February, 2007.

JUDGMENT

The petitioner is operating Stage Carriage KL-10/S 7466 on the route Malappuram-Elamaram. He submitted Ext.P1 application for revision of the time schedule of his service. The said application was rejected by the R.T.A., Malappuram by Ext.P2, without hearing him. Hence, this writ petition challenging Ext.P2.

2. The learned Government Pleader, upon instruction, submitted that Ext.P2 was passed without hearing the petitioner.

3. In view of the said submission, Ext.P2 is quashed. The respondent will consider whether further action could be taken on Ext.P1 after affording an opportunity of being heard to the petitioner, within one month from the date of production of a copy of this judgment. If the petitioner has made out a prima facie case for revision of the time schedule, the respondent shall pass orders on Ext.P1 and take consequential action to revise the time schedule, after affording an opportunity of being heard to all the affected operators also.

The writ petition is disposed of as above.

K.BALAKRISHNAN NAIR,
JUDGE.

MS